

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker	Executive Lead Member for Adult Social Care and Public Health
Date:	22 October 2024
Title:	Hampshire Disabilities Day Opportunities Model
Report From:	Director of Adults' Health and Care

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Purpose of this Report

1. The purpose of this report is to seek approval from the Executive Lead Member for Adult Social Care and Public Health to continue spend on Day Opportunity services for adults in Hampshire through an extension to the County Council's Hampshire Disabilities Day Opportunities Model (HDDOM). It should be noted that this spend is already forecast into the relevant Adults' Health and Care budgets and is not new spend.

Recommendation(s)

2. That the Executive Lead Member for Adult Social Care and Public Health give approval to extend the HDDOM for four years. This would be from 1 December 2024 to 30 November 2028.
3. That the Executive Lead Member for Adult Social Care and Public Health give approval for the estimated maximum indicative spend in this four-year period of £50million in addition to the original approved spend for the lifetime of the framework as set out in this report.

Executive Summary

4. HDDOM is the County Council's overarching framework for Day Opportunities. Individual care packages are called off against the approved spend amount.
5. HDDOM originally commenced from 1 December 2016 for an initial lifespan of 4 years which may be extended, at the Council's discretion, by up to an additional 8 years (maximum of 12 years) in four-year segments. The maximum lifetime spend over 12 years was estimated to be £70million, and the original Executive Member permission was for this figure.

6. HDDOM was originally targeted at services for younger adults (between 18 and 65) who had a learning or physical disability as well as those with mental health needs. In 2023, three older adult providers were also onboarded to the Framework.
7. Due to increases in the volume of Day Opportunity services being provided via HDDOM and increases in costs, the original permission of £70million will not be sufficient to cover the last four-year extension period.
8. This report seeks approval to trigger the next four-year extension of the Hampshire Disability Day Opportunities Model (HDDOM) and to continue to commission relevant services for disabled adults and older adults in Hampshire. This will be to a maximum value of £50million for the final four-year extension period.
9. HDDOM provides benefits to individuals, their carers and the County Council by providing a service specification and quality standards for externally contracted Day Opportunity providers.
10. The Council also benefits from the transparent pricing information that providers share as a requirement of their HDDOM membership.

Contextual information

11. A very diverse range of activity is described under the term “Day Opportunities”. This includes providers delivering traditional day care centres, vocational training services, community-based services and specialist services to people with complex needs.
12. The provision of day-time activity fulfils a key respite function for many family carers who are dependent on this provision in order to work and to maintain their caring role. Services tend to have low levels of throughput, with some individuals attending the same services for many years.
13. Hampshire County Council currently contracts with 41 HDDOM externally contracted Day Opportunity providers. The services provide day-time activity to approximately 850 individuals across Hampshire. The County Council currently spends approximately £9.7million per annum on these services.
14. The independent sector Day Opportunity market is primarily made up of small and medium sized enterprises, many of which are third sector organisations. Day Opportunities services support the Council in meeting its Care Act (2014) duties, specifically Sections 1,2,5 and 18-20.
15. Day Opportunities continue to provide a cost-effective care and support option for people with disabilities and older people who cannot remain at home during the day, or to provide carer respite.

16. Day Opportunities providers are not regulated by the Care Quality Commission (CQC) in England. This means that activities that would normally be regulated in other care environments, such as the provision of personal care, are carried out with no external oversight or registration requirements.
17. Providers that are contracted through HDDOM are required to meet a minimum quality assurance threshold which is transparent and open to scrutiny. This provides assurance to the County Council as a commissioning authority, in the absence of external regulation from the CQC.
18. HDDOM has allowed the County Council to articulate its requirements through a service specification for outcomes focused services, enablement and skill enhancement. The HDDOM specification also presents the County Council's vision for enhanced community inclusion and the potential for volunteering and paid employment opportunities for people who use services.
19. HDDOM is continually advertised to the provider market and open to new applications from service providers. Providers may apply by following an application process via the County Council's Intend procurement platform.

Finance

20. In 2020 the total spend for HDDOM was calculated as £5.4million per annum. Since 2020 there has been an increase in use and overall spend on the provision of building-based Day Opportunities. The number of providers on the HDDOM has also increased. This means that the original £70million spend permission granted in 2016 is not sufficient to cover the final four-year extension option.
21. The current annual spend on HDDOM is now c£9.7million per annum. This spend is fully budgeted on a recurring basis and currently attributed across client groupings as per the table below.

Client Group	Annual HDDOM Spend	Individual users in HDDOM[^]
OA	£1,085,854	98
PD	£626,364	62
LD	£7,955,736	680
MH	£16,423	2
Totals	£9,684,377	842

[^] Where an individual attends multiple day services, the individual is only counted once

22. Inflationary pressures will continue to be faced in the Adult Social Care sector, and therefore the total permission sought for the final four-year extension period for HDDOM is £50million.

Performance

23. Services provided to individuals are monitored through Care Act (2014) review and assessment with reference to the HDDOM service specification. It is a minimum requirement that providers develop and implement robust quality assurance and outcome monitoring systems which can be shared with commissioners.
24. Adults' Health and Care have continued to facilitate HDDOM Provider Forums. These are an opportunity to share our Market Position Statements and to promote networking and best practice. A strategic review of day services will also be undertaken in the next two years. This will support future decisions about the Council's requirements when HDDOM expires in 2028.

Consultation and Equalities

25. The HDDOM service specification was developed following co-production with the Day Opportunity provider market and people who use services in Hampshire.
26. Feedback from individuals and carers indicates Day Opportunities are still a valued service model, providing essential respite for family carers.
27. An Equality Impact Assessment has been completed. This has identified positive impacts of the proposal to extend the HDDOM Framework, particularly for disabled people who use services. Disabled people would continue to benefit from the provision of quality assured, outcome focused services. These services support people to engage in a meaningful way with their local communities, become less dependent on funded services, build resilience and develop skills and abilities. Positive or neutral impacts have been identified for people with other protected characteristics.

Legal Implications

28. Legal advice is provided in exempt Appendix 1.

Other Key Issues

29. Community based care and support services are integral to the County Council's ability to discharge its statutory obligations under the Care Act 2014.
30. The provision of day opportunities to individuals will continue to be reviewed as part of the County Council's broader response to the SP25 savings programme.
31. The provision of transport to day opportunity provision is a key factor in service delivery and can represent a significant additional cost in some cases. The County Council continues to review transport arrangements at an individual

level and in partnership with colleagues in the Passenger Transport Team (Universal Services) who contract for transport provision.

32. The County Council will continue to use the HDDOM framework as a mechanism to engage with the market. This will include a greater emphasis on outcome-based commissioning and supporting the market through excellent commissioner and provider relationships.

Conclusion

33. The HDDOM Framework provides a service specification and quality indicators for the externally contracted Day Opportunities market. These fulfil a key role in the absence of external regulation from the CQC. A four-year extension period will ensure that individuals, carers, providers and the County Council can continue to benefit from this.
34. The provision of Day Opportunities services to individuals will continue to be managed through business as usual governance processes which consider the assessed needs of the individual and the most cost effective way of meeting those assessed needs. Therefore, the permission to spend up to £50million in the final four year extension period is not a commitment to spend, but an indicative sum.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Day Opportunities for people with a Learning disability Reference: 7174	<u>Date</u> 18.01.16.
Hampshire Disabilities Day Opportunities Model	21.07.20
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Service Description

HDDOM provides benefits to individuals, their carers and the County Council by providing a service specification and quality standards for externally contracted Day Opportunity providers.

The Council also benefits from the transparent pricing information that providers share as a requirement of their HDDOM membership.

A very diverse range of activity is described under the term "Day Opportunities". This includes providers delivering traditional day care centres, vocational training services, community-based services and specialist services to people with complex needs.

The provision of day-time activity fulfils a key respite function for many family carers who are dependent on this provision in order to work and to fulfil their caring role. Services tend to have low levels of throughput, with some individuals attending the same services for many years.

Hampshire County Council currently contracts with 41 HDDOM externally contracted Day Opportunity providers. The services provide day-time activity to approximately 850 individuals across Hampshire.

We currently have 843 individuals who HCC have placed within services provided under the HDDOM framework providers. The following is a breakdown by responsible care management teams: 98 are from Older Adults, 62 are from Physical Disability, 681 are from Learning Disability and 2 are from Mental Health

The independent sector Day Opportunity market is primarily made up of small and medium sized enterprises, many of which are third sector organisations. Day Opportunities services support the Council in meeting it's Care Act (2014) duties, specifically Sections 1,2,5 and 18-20.

HDDOM originally commenced from 1st December 2016 for an initial lifespan of 4 years which may be extended, at the Council's discretion, by up to an additional 8 years (maximum of 12 years) in four-year segments. We have extended the HDDOM once already with the current extended contract ending in 2024.

HDDOM was originally targeted at services for younger adults (predominantly those between 18 and 65) who had a learning or physical disability as well as those with mental health needs. In 2023, three Older Adult providers were also onboarded to the Framework.

Service Change

On the 22nd of October 2024 Adult Social Care are seeking Executive Member permission to extend the contract to the maximum of its 12 year period

There will be no change to the existing service related to this contract extension.

Day Opportunities continues to provide a cost-effective care and support option for people with disabilities and older people who cannot remain at home during the day, or to provide carer respite.

Day Opportunities providers remain un-regulated by the Care Quality Commission (CQC) in England. This means that activities that would normally be regulated in other care environments, such as the provision of personal care, are carried out with no external oversight or registration requirements.

Providers that are contracted through HDDOM are required to meet a minimum quality assurance threshold which is transparent and open to scrutiny. This provides assurance to the County Council as a commissioning authority, in the absence of external regulation from the CQC.

HDDOM has allowed the County Council to articulate its requirements through a service specification for outcomes focused services, enablement and skill enhancement. The HDDOM specification also presents the Council's vision for enhanced community inclusion and the potential for volunteering and paid employment opportunities for people who use services.

Geographic Impact

All Hampshire

Engagement/Consultation

Yes

Details of Engagement/Consultation

The HDDOM service specification was developed following co-production with the Day Opportunity provider market and people who use services in Hampshire.

Adults Health and Care have continued to facilitate HDDOM Provider Forums. These are an opportunity to share our Market Position Statements and to promote networking and best practice. A strategic review of day services will be undertaken. This will support future conversations about the County Council's requirements when HDDOM expires in 2028.

Feedback from individuals and carers indicates Day Opportunities are still a valued service model, providing essential respite for family carers.

As Hampshire County Council place individuals at these services, Hampshire County Council can monitor who uses these services - specifically to gather data on supporting underrepresented groups.

The County Council will continue to use the HDDOM framework as a mechanism to engage with the market. This will include a greater emphasis on outcome-based commissioning and supporting the market through excellent commissioner and provider relationships.

Additional Information

The service has a positive social impact on the lives of individuals who use the service as it supports individuals to make informed choices about their future and, where possible, enable individuals to remain living at home with the minimum number of interventions necessary for independence.

Providers are required to:

Monitor the delivery and quality of support and review support arrangements where applicable.

Work alongside the individual, their family and circle of support, health and social care professionals and other stakeholders to develop co-produced, personalised services.

Promote increased independence through a range of enablement activities, supporting people to engage in a meaningful way with their local communities, becoming less dependent on funded services as their resilience, skills and abilities are developed.

Provide a safe environment for individuals in all aspects of support, free from abuse, exploitation and neglect in which health and wellbeing are central to service delivery.

Conform to Quality Standards as outlined by Hampshire County Council

Work in partnership with individuals, health and social care professionals and other stakeholders to ensure that effective communication with the individual is central to service delivery (this might include the use of communication systems such as Makaton, PECS and the use of assistive/augmentative technology).

Recognise the needs of carers and involve them in service delivery as required

Support individuals to make informed choices about their life, promoting self-advocacy.

Review the individual support packages with the local Care Management Team.

Support individuals to identify and work with other services which can help maximise their independence and reduce dependence on paid-for services.

Impact Assessment

Age

Public Impact: Positive

Staff Impact: Positive

Decision Rationale

HDDOM was originally targeted at services for younger adults (predominantly those between 18 and 65) who had a learning or physical disability as well as those with mental health needs. In 2023, three Older Adult providers were also onboarded to the Framework.

There will be a continued drive to promote and on-board providers that deliver services across all age groups and providers of these services are required to delivering culturally appropriate care for individuals through person centred approaches.

Mitigation/Actions: N/A

Disability

Public Impact: Positive

Staff Impact: Positive

Decision Rationale

This service is aimed at disabled adults who are aged 18 and above. .
The provision of care packages to individuals will continue to be managed through business as usual governance processes which consider the assessed needs of the individual and the most cost effective way of meeting those assessed needs. The service will also consider how employment and volunteering opportunities to disabled people can be maximised in the delivery of the service. This is a key element of service delivery, providing individuals with valued meaningful activity and embedding principles of co-production and service user involvement. The service will provide additional social value by promoting volunteering and employment opportunities and more generally the social inclusion of individuals in their local communities through active citizenship wherever possible.

Mitigation/Actions: N/A

Gender Reassignment

Public Impact: Neutral

Staff Impact: Neutral

Decision Rationale

No anticipated changes to current position expected through programme delivery.

Mitigation/Actions: N/A

Pregnancy & Maternity

Public Impact: Neutral

Staff Impact: Neutral

Decision Rationale

No anticipated changes to current position expected through programme delivery.

Mitigation/Actions: N/A

Race

Public Impact: Positive

Staff Impact: Neutral

Decision Rationale

The move to extend the HDDOM framework will not disproportionately impact individuals due to their Race. However, there will be a continued positive impact as contractually providers are required to deliver that services that are person centred and outcomes focused, working to ensure individuals accessing these services reach their full potential and maximum personal level of independence.

Mitigation/Actions: N/A

Religion or Belief

Public Impact: Positive

Staff Impact: Neutral

Decision Rationale

The move to extend the HDDOM framework will not disproportionately impact individuals due to their religion or belief. However, there will be a continued positive impact as contractually providers are required to deliver that services that are person centred and outcomes focused, working to ensure individuals accessing these services reach their full potential and maximum personal level of independence.

Mitigation/Actions: N/A

Sex

Public Impact: Positive

Staff Impact: Neutral

Decision Rationale

The move to extend the HDDOM framework will not disproportionately impact individuals due to their sex. However, there will be a continued positive impact as contractually providers are required to deliver that services that are person centred and outcomes focused, working to ensure individuals accessing these services reach their full potential and maximum personal level of independence.

Mitigation/Actions: N/A

Sexual Orientation

Public Impact: Positive

Staff Impact: Neutral

Decision Rationale

The move to extend the HDDOM framework will not disproportionately impact individuals due to their sexual orientation. However, there will be a continued positive impact as contractually providers are required to deliver that services that are person centred and outcomes focused, working to ensure individuals accessing these services reach their full potential and maximum personal level of independence.

Mitigation/Actions: N/A

Marriage & Civil Partnership

Public Impact: Neutral

Staff Impact: Neutral

Decision Rationale

No anticipated changes to current position expected through programme delivery.

Mitigation/Actions: N/A

Poverty

Public Impact: Neutral

Staff Impact: Neutral

Decision Rationale

No anticipated changes to current position expected through programme delivery.

Mitigation/Actions: N/A

Rurality

Public Impact: Positive

Staff Impact: Neutral

Decision Rationale

The move to purchasing care through the Care Home framework will not disproportionately impact individuals due to living rurally. The County Council will be seeking to support service users to manage their own transport requirements wherever possible. For those that require transport support this will be decided and requested at point of assessment. This could be provided through a variety of means such as learning skills to access public transport or a request made to passenger transport services.

Mitigation/Actions: N/A